

# ADMINISTRATIVE - INTERNAL USE ONLY

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27 October 1981

## MEMORANDUM FOR THE RECORD

FROM: [REDACTED]  
Chief, Classification Review Division

SUBJECT: DCI Certification of Documents Which  
Have Already Been Entered into DARE

1. In a conversation with [REDACTED] OGC, in mid-September, we discussed the handling of requests for certification (under E.O. 12065, Section 3-401) which CRD submits to the DCI, usually on behalf of IPD and involving an FOIA litigation case.

2. I mentioned [REDACTED] that CRD had now obtained the DCI's certification for all documents entered into DARE through CY 1980 which have retained their classification. In the interests of (a) sparing the DCI from these administrative matters, and (b) speeding the certification process (many of these requests for certification have short deadlines), I suggested that we could take the following steps if he saw these as being legally acceptable:

a. Check the request against the DARE holdings and, if all documents had been recorded and previously certified by the DCI, submit a memorandum to IPD which advises that these documents have been certified by the DCI as part of the DARE holdings.

b. Check the request against the DARE holdings and, if only some of the documents or (obviously) none of the documents had been previously certified by the DCI, then all of the documents in the request (to simplify the record) would be submitted to the DCI for certification as we do now.

3. [REDACTED] opined that this procedure would be legally acceptable, acknowledging however that the entire certification process of E.O. 12065 has never been tested in court and is therefore still an unknown.

### Distribution:

Orig - DCI Certification File  
1 - D/IS  
1 - Liaison w/OGC  
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